

Section #. 6.56 (3) of the statutes is amended to read:

6.56 (3) Upon receipt of the list under sub. (1), the municipal clerk or board of election commissioners shall make an audit of all electors ~~registering to vote~~ <sup>transferring registration</sup> at the polling place or other registration location under s. 6.55 (2) ~~and all electors registering by agent on election day under s. 6.86 (3) (a)~~

2) The audit shall be made by 1st class postcard. The postcard shall be marked in accordance with postal regulations to ensure that it will be returned to the clerk or board of election commissioners if the elector does not reside at the address given on the postcard. If any postcard is returned undelivered, or if the clerk or board of election commissioners is informed of a different address than the one specified by the elector which was apparently improper on the day of the election, the clerk or board shall change the status of the elector from eligible to ineligible on the registration list and mail the elector a notice of the change in status and provide the name to the district attorney for the county where the polling place is located.

History: 1975 c. 85, 199; 1977 c. 394; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1989 a. 192; 2001 a. 51; 2003 a. 265.

X

Par 5116-3:1

Section #. 6.56 (5) of the statutes is amended to read:

6.56 (5) Whenever any letter or postcard mailed under this section is returned undelivered, or whenever the U.S. postal service notifies the clerk of an improper address which was apparently improper on the day of the election or whenever it otherwise appears that a person has voted who is not qualified or has voted more than once in an election, and the person has been permitted to vote after corroboration was made under s. 6.55 (2) ~~or (3) or 6.86 (3) (a) 2.~~ the name of the corroborator shall also be provided to the district attorney. ✓

~~History: 1975 c. 85, 199; 1977 c. 394; 1979 c. 260; 1983 a. 484; 1985 a. 304; 1989 a. 192; 2001 a. 51; 2003 a. 265.~~

Section #: 6.79 (2) (b) of the statutes is amended to read:

6.79 (2) (b) If the poll list is to be used at an election for national office, the municipal clerk shall enter on the poll list an indication next to the name of each elector for whom identification is required. If the poll list indicates that identification is required, the officials shall require the elector to provide identification. If identification is provided, the officials shall verify that the name and address on the identification provided is the same as the name and address shown on the registration list. If identification is required and not provided, the officials shall offer the opportunity for the elector to vote under s. 6.97.

NOTE: Sub. (2) is repealed and recreated eff. 1-1-06 by 2003 Wis. Act 265 to read:

SECTION #. Am, 6.79 (2) (b) and (c) as affected by 2003 Wisconsin Act 265

6.79 (2) VOTING PROCEDURE (a) Unless information on the poll list is entered electronically, the municipal clerk shall supply the inspectors with 2 copies of the most current official registration list or lists prepared under s. 6.36 (2) (a) for use as poll lists at the polling place. Except as provided in sub. (6), each person, before receiving a serial number, shall state his or her full name and address. The officials shall verify that the name and address provided by the person are the same as the person's name and address on the poll list.

(b) Upon the poll list, after the name of each elector, the officials shall enter a serial number for each elector in the order that votes are cast, beginning with number one.

(c) The officials shall maintain separate lists for electors who are voting under s. 6.15, 6.29, or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full name, address, and serial number of each of these electors on the appropriate separate list. Alternatively, if the poll list is maintained electronically, the officials may enter on the poll list the information that would otherwise appear on a separate list if the information that would be obtainable from a separate list is entered on the poll list.

(d) If the poll list indicates that identification is required, the officials shall require the elector to provide identification. If identification is provided, the officials shall verify that the name and address on the identification provided is the same as the name and address shown on the registration list. If identification is required and not provided, the officials shall offer the opportunity for the elector to vote under s. 6.97.

change font, NoB

The officials shall enter upon the poll list after the name of any elector who updates his or her registration under s. 6.55 in the updated name of the elector.

transferring registrations under s.

Ans 16-16

~~Section #. 6.79 (4) of the statutes is amended to read:~~

6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides acceptable proof of residence under s. 6.15, ~~6.29~~ or 6.55 (2) ~~or (3)~~, the election officials shall enter the type of identifying document provided on the poll list, or separate list maintained under sub. (2) (c). If the document submitted as proof of identity or residence includes a number which applies only to the individual holding that document, the election officials shall also enter that number on the list. ~~When any elector corroborates the registration identity or residence of any person offering to vote under s. 6.55 (2) (b) or (c) or (3), or the registration identity or residence of any person registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter the name and address of the corroborator next to the name of the elector whose information is being corroborated on the poll list, or the separate list maintained under sub. (2) (c).~~ When any person offering to vote has been challenged and taken the oath, following the person's name on the poll list, the officials shall enter the word "Sworn".

**NOTE: Sub. (2) (c) becomes effective 1-1-06.**

**History:** 1971 c. 304 s. 29 (2); 1975 c. 85, 199, 200; 1977 c. 394, 447; 1979 c. 260, 311, 355; 1985 a. 304; 1989 a. 192; 1999 a. 49, 182; 2001 a. 38, 51; 2003 a. 265, 327.

✓ FWS/7-13:1  
Section #. 6.86 (3) (b) of the statutes is amended to read:

6.86 (3) (b) When each properly executed form and statement required under par. (a) is presented to the municipal clerk, if the elector who proposes to vote is qualified, an absentee ballot shall be issued and the name of such hospitalized elector shall be recorded by the clerk or ~~special registration deputy~~. An agent who is issued an absentee ballot under this section shall present documentation of his or her identity, provide his or her name and address, and attest to a statement that the ballot is received solely for the benefit of a named elector who is hospitalized, and the agent will promptly transmit the ballot to such person.

History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

Fr 5 17-13 '12

X  
Section #. 6.86 (3) (c) of the statutes is amended to read:

this subsection  
6.86 (3) (c) An application under ~~par. (a) 1.~~ may be made ~~and a registration form under par. (a) 2. may be filed~~ in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. A list of hospitalized electors applying for ballots under ~~par. (a) 1.~~ this subsection shall be made by the municipal clerk and used to check that the electors vote only once, and by absentee ballot. If identification is required, the municipal clerk shall so inform the agent and the elector shall enclose identification in the envelope with the ballot. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery at the polling place serving the hospitalized elector's residence before the closing hour for the ballot to be counted.

History: 1975 c. 85 ss. 37, 38, 65; 1975 c. 90, 199, 200, 275, 422; 1977 c. 394 ss. 14, 40, 41; 1979 c. 232, 311; 1981 c. 391; 1983 a. 183, 484; 1985 a. 304 ss. 69, 156; 1987 a. 391; 1995 a. 313; 1999 a. 182; 2001 a. 51; 2003 a. 265.

Jws 17-19:1

Section #. 6.87 (2) of the statutes is amended to read.

(form)

6.87 (2) Except as authorized under sub. (3) (d), the municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate in substantially the following form:

[STATE OF ....

County of ....]

or

[(name of foreign country and city or other jurisdictional unit)]

I, ....., certify subject to the penalties of 12.60 (1) (b) 12., Wis. Stats., for false statements, that I am a resident of the [.... ward of the] (town) (village) of ....., or of the .... aldermanic district in the city of ....., residing at ....\* in said city, the county of ....., state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on ....; that I am not voting at any other location in this election; that I am unable or unwilling to appear at the polling place in the (ward) (election district) on election day or have changed my residence within the state from one ward or election district to another within <sup>29</sup>~~10~~ days before the election. I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

Signed ....

Identification serial number, if any: ....

The witness shall execute the following:

I, the undersigned witness, subject to the penalties of 12.60 (1) (b) 12., Wis. Stats., for false statements, certify that the above statements are true and the voting procedure was executed as there

FWS, 7-14:2

stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

....(Name)

....(Address)\*\*

\* — An elector who provides an identification serial number issued under 6.47 (3)6., Wis. Stats., need not provide a street address.

\*\* — If this form is executed before 2 special voting deputies under 6.875 (6)6., Wis. Stats., both deputies shall witness and sign.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1975 c. 85; 1975 c. 93 s. 119 (2); 1975 c. 199; 1977 c. 394; 1979 c. 232, 260, 311, 355; 1983 a. 36, 484, 538; 1985 a. 304; 1991 a. 316; 1999 a. 49, 182; 2001 a. 16, 38, 109; 2003 a. 265.



FW 5 18-23

Section #. 6.94 of the statutes is amended to read:

**6.94 Challenged elector oath.** If the person challenged refuses to answer fully any relevant questions put to him or her by the inspector under s. 6.92, the inspectors shall reject the elector's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the inspectors shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for <sup>29</sup>~~10~~ days have been a resident of this ward except under s. 6.02 (2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election". If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

~~History: 1971 c. 304 s. 29 (2); 1971 c. 336 s. 37; 1975 c. 85 ss. 45, 66 (3); 1977 c. 394 s. 54; 1983 a. 484; 2003 a. 265.~~

✓

Prs 19-19

Section #. 7.08 (1) (c) of the statutes is amended to read:

7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1), 6.40 (1) (a), 6.47 (1) (a) 2. and (3), 6.55 (2) <sup>keep</sup> ~~and (3)~~, and 6.86 (2) and (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

History: 1971 c. 242; 1973 c. 334 s. 6, 57; 1975 c. 85, 93, 94, 199; 1977 c. 29, 107, 394, 427; 1979 c. 89, 177, 260, 311; 1981 c. 377; 1983 a. 51, 484; 1985 a. 120, 304; 1989 a. 192; 1993 a. 140; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 49, 182; 2001 a. 16, 38, 107, 109; 2003 a. 265.

IN 519-20

~~Section #. 7.30 (2) (a) of the statutes is amended to read:~~

7.30 (2) (a) Only election officials appointed under this section may conduct an election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified elector of the ward or wards, or the election district, for which the polling place is established. ~~Special registration deputies appointed under s. 6.55 (6) and election~~ <sup>Election</sup> officials who are appointed to fill a vacancy under par. (b) need not be a resident of the ward or wards, or the election district, but shall be a resident of the municipality. ~~Special registration deputies may be appointed to serve more than one polling place.~~ All officials shall be able to read and write the English language, be capable, be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. The party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. The same election officials may serve the electors of more than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward requirements in this paragraph apply to the municipality at large.

History: 1971 c. 242; 1971 c. 304 s. 29 (1), (2); 1971 c. 336; 1973 c. 280, 334; 1975 c. 93, 101; 1977 c. 394, 427, 447; 1979 c. 89, 260, 355; 1983 a. 183, 484, 538; 1985 a. 131 s. 3; 1985 a. 304, 332; 1987 a. 391; 1989 a. 192, 359; 1995 a. 16 s. 2; 1997 a. 127; 1999 a. 182; 2001 a. 16, 109.

insert 20-14

Section #. 12.13 (3) (v) of the statutes is amended to read:

plain

12.13 (3) (v) Corroborate any information offered by a proposed elector for the purpose of permitting the person to register to vote or to vote knowing such information to be false.

History: 1973 c. 334; 1975 c. 85, 93, 199; 1977 c. 427, 447; 1979 c. 89, 249, 260, 311, 357; 1983 a. 183 s. 45; 1983 a. 192 s. 304; 1983 a. 484 ss. 135, 172 (3), 174; 1983 a. 491; 1985 a. 304; 1987 a. 391; 1989 a. 192; 1991 a. 316; 1999 a. 49; 2001 a. 16; 2003 a. 265.

in any election

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Senator Reynolds

IMK

commissioners not subject to appeal. Section 6.97, stats., which mirrors the federal law makes the municipal clerk or board of election commissioners responsible for determining an elector's eligibility to vote and that decision is subject to appeal. Although it would again be a substantive change, this draft could be simplified by using the same provisional balloting procedure that applies under current law in all cases or by extending it to apply to all electors who, at any election, cannot provide one of the forms of verifiable identification required by this draft.

4. As discussed above, current law, in ss. 6.79 (2) and 6.88 (3) (a), stats., requires certain electors to provide identification as defined by federal law in order to be permitted to vote. The law requires election officials to verify that the name and address shown on the identification is the same as the identification shown on the registration list. Because some forms of identification, such as a Wisconsin operator's license or uniformed service identification card, do not necessarily contain a current voting address, this verification is sometimes impossible to make, and the elector is then prevented from voting until an address-verifiable form of identification can be produced. AB-111 similarly required that election officials verify that the name and address shown on the Wisconsin operator's license, Wisconsin ID or uniformed services ID are the same as shown on the registration list. Because these forms of identification do not necessarily contain a current address, it is not always possible to make this verification. *This draft, therefore, deletes the address verification requirement, but retains the requirement to verify the name and photograph of the elector. Please let me know if you would like to see this issue treated differently.*

(NURA)

5. It is possible that, if enacted, this draft may activate certain requirements under the National Voter Registration Act from which this state is currently exempt. Primarily, these requirements include voter registration simultaneously with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. This act exempts any state which, since May 20, 1993, has continuously permitted all voters in federal elections to "...register to vote at the polling place at the time of voting." 42 USC 1973gg-2 (b) (2). The Help America Vote Act also contains a provisional balloting procedure for all electors who vote at polling places in elections for federal office whenever their ballots are not accepted, but states that are exempt from compliance with the National Voter Registration Act under 42 USC 1973gg-2 (b) are not covered by this procedure. Because this draft will preclude some persons from registering and voting on election day if the persons have no acceptable ID and are unable to obtain them from the Department of Transportation (DOT) before the close of the polls, it could be interpreted to make these federal exemptions inapplicable. You may want to consider allowing these persons, only for the applicable

of 2002

(HAVA)

Federal

Under this draft, this state will no longer qualify for this exemption, thereby making the Federal provisional balloting procedures effective at federal elections held in this state. The draft does not make any of the statutory changes that will be needed to implement the

NURA and HAVA requirements

legislation

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2256/1dn  
RJM&JTK:wlj:jf

May 4, 2001

Representative Grothman:

1. If enacted, this draft would activate certain requirements under the National Voter Registration Act (commonly referred to as the motor voter law), from which this state is currently exempt. Primarily, these requirements include simultaneous voter registration with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices.

29th  
2. The attached <sup>FAS</sup> draft generally creates a new registration deadline of 5 p.m. on the 28th day before an election. (The 30th day would be a Sunday, in most cases.) However, the draft permits a registered elector who has changed his or her name *or who has moved to a new residence within the same ward or election district* to update his or her registration on election day. See proposed s. 6.55 (1) and (2). Under the ~~motor voter law~~, the state is required to permit a registered elector who changes his or her residence within a ward or election district to update his or her registration at the polls on election day. See 42 USC 1973gg-6 (e) (1). Let us know if this treatment is not consistent with your intent.

28  
NVRA  
3. To coordinate with the close of registration, this draft generally requires an individual to reside in this state for 28 days before an election to be eligible to vote.

29  
4. This draft repeals s. 6.15 (3) (b), stats., which currently permits unregistered electors who have resided in this state for less than ten days to vote in a presidential election at the polls on election day. Under this draft, unregistered electors who have resided in this state for less than 28 days may vote at the municipal clerk's office not sooner than 27 days nor later than 5 p.m. on the day before the presidential election. As under current law, these electors may only vote for president and vice president.

28  
5. The draft contains an initial applicability provision to make it clear when the new registration and residency requirements first apply. Please let us know if you do not intend to include this provision.

JTK

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2128/1dn

JTK:lmk:ch

April 19, 2005

Senator Reynolds:

1. If enacted, this draft will activate certain requirements under the National Voter Registration Act (NVRA) from which this state is currently exempt. Primarily, these requirements include voter registration simultaneously with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. This act exempts any state which, since May 20, 1993, has continuously permitted all voters in federal elections to "...register to vote at the polling place at the time of voting." 42 USC 1973gg-2 (b) (2). The federal Help America Vote Act of 2002 (HAVA) also contains a provisional balloting procedure for all electors who vote at polling places in elections for federal office whenever their ballots are not accepted, but states that are exempt from compliance with NVRA under 42 USC 1973gg-2 (b) are not covered by this procedure. Under this draft, this state will no longer qualify for this exemption, thereby making the federal provisional balloting procedures effective at federal elections held in this state. The draft does not make any of the statutory changes that will be needed to implement the NVRA and HAVA requirements, if enacted, this can be accomplished in trailer legislation.
2. This draft generally creates a new registration deadline of 5 p.m. on the 29th day before an election. (The 30th day would be a Sunday, in most cases.) However, the draft permits a registered elector who has changed his or her name *or who has moved to a new residence within the same ward or election district* to update his or her registration on election day. See proposed s. 6.55 (1) and (2). Under the NVRA the state is required to permit a registered elector who changes his or her residence within a ward or election district to update his or her registration at the polls on election day. See 42 USC 1973gg-6 (e) (1). Let us know if this treatment is not consistent with your intent.
3. To coordinate with the close of registration, this draft generally requires an individual to reside in this state for 29 days before an election to be eligible to vote.
4. This draft repeals s. 6.15 (3) (b), stats., which currently permits unregistered electors who have resided in this state for less than ten days to vote in a presidential election at the polls on election day. Under this draft, unregistered electors who have resided in this state for less than 29 days may vote at the municipal clerk's office not



sooner than 28 days nor later than 5 p.m. on the day before the presidential election. As under current law, these electors may only vote for president and vice president.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778



(DNOTE) ✓  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-21281 2

JTK:lmk:ch

THU 7/14

2005 BILL

+WJ

Regen

1 AN ACT ~~to repeal~~ 6.26 (2) (d), 6.275 (1) (c), 6.29, 6.32 (3), 6.54, 6.55 (2) (a) 2., 6.55  
2 (2) (cm), 6.55 (3), 6.55 (6), 6.56 (2) and 6.86 (3) (a) 2.; **to renumber** 6.86 (3) (a)  
3 1.; **to renumber and amend** 6.55 (2) (a) 1. and 6.55 (2) (d); **to amend** 6.02 (1),  
4 6.02 (2), 6.10 (3), 6.10 (4), 6.15 (1), 6.15 (2) (a), 6.15 (3), 6.18 (form), 6.275 (1) (b),  
5 6.275 (1) (d), 6.28 (1), 6.30 (1), 6.33 (1), 6.33 (2) (b), 6.40 (1) (a) 1., 6.40 (1) (c),  
6 6.45 (1), 6.45 (1m), 6.50 (10), 6.55 (title), 6.55 (2) (b), 6.55 (2) (c) 1., 6.56 (1), 6.56  
7 (3), 6.56 (5), 6.79 (2) (b) and (c), 6.79 (4), 6.85, 6.86 (3) (b), 6.86 (3) (c), 6.87 (2)  
8 (form), 6.94, 7.03 (1) (d), 7.08 (1) (c), 7.30 (2) (a) and 12.13 (3) (v); and **to repeal**  
9 **and recreate** 6.15 (2) (title) of the statutes; **relating to:** the deadline and  
10 procedure for voter registration and the determination of residency for voting  
11 purposes.

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***Analysis by the Legislative Reference Bureau***

Under current law, every municipality with a population of greater than 5,000 is required to maintain a voter registration list. Effective on January 1, 2006, voter registration will be required in all municipalities. With certain exceptions, the deadline for voter registration is 5 p.m. on the second Wednesday preceding the

**BILL**

election. Registrations made by mail must be delivered to the office of the municipal clerk or board of election commissioners or postmarked not later than this deadline. However, under current law, voters may also register in person at the office of the municipal clerk or board of election commissioners until 5 p.m. on the day before the election or, in most cases, may register at the proper polling place or other designated location on election day. In addition, voters may register at any time after the deadline if the municipal clerk of the municipality where they reside determines that the registration list can be revised to incorporate ~~the registration~~ <sup>their registrations</sup> in time for the election. If an elector registers at the office of the municipal clerk or board of election commissioners after the close of registration or at a polling place or other designated location on election day, the elector must present acceptable proof of residence or have another elector of the same ward or election district sign a statement corroborating the elector's registration. The corroborating elector must then present acceptable proof of residence.

Currently, an elector who appears at a polling place and who claims to be registered to vote in the election but whose name does not appear on the registration list may vote by signing a statement to the effect that he or she is a qualified elector of the ward or election district served by the polling place and that he or she is registered to vote in the election. The elector must also present acceptable proof of residence or have another elector of the same ward or ~~election~~ sign a statement corroborating the elector's statement. The corroborating elector must then present acceptable proof of residence.

This bill provides that the deadline for registration is 5 p.m. on the 29th day preceding the election, ~~with no exceptions~~. Under the bill, in-person registrations must be completed by this deadline, and registrations made by mail must be delivered or postmarked, ~~not~~ later than this deadline. The bill discontinues the procedure for registration at polling places and other designated locations on election day and the procedure under which an elector whose name does not appear on the registration list may be permitted to vote. However, the bill permits an elector who changes his or her name or who moves to a new residence within the same ward or election district to update his or her registration at the proper polling place or other designated location on election day.

Under current law, with certain limited exceptions, an individual must be a resident of this state for ten days before an election to be eligible to vote in the election. This bill increases this durational residency requirement to 29 days.

If enacted, this bill will activate certain requirements under the National Voter Registration Act (commonly referred to as the motor voter law), from which this state is currently exempt. Primarily, these requirements include simultaneous voter registration with motor vehicle driver's license applications and renewals, voter registration at any office that provides public assistance, voter registration at any office that primarily provides state-funded services to persons with disabilities, and voter registration at armed forces recruiting offices. In addition, the bill will activate a requirement under the federal Help America Vote Act of 2002 that authorizes voters whose ~~voter~~ are not accepted at federal elections to cast provisional ballots in those elections. This state is currently exempt from that requirement.

if a  
municipality  
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NO

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**BILL**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1       **SECTION 1.** 6.02 (1) of the statutes is amended to read:

2       6.02 (1) Every U.S. citizen age 18 or older who has resided in an election district  
3 or ward for ~~10~~ 29 days before any election where the citizen offers to vote is an eligible  
4 elector.

5       **SECTION 2.** 6.02 (2) of the statutes is amended to read:

6       6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than  
7 ~~10~~ 29 days before an election shall vote at his or her previous ward or election district  
8 if the person is otherwise qualified. If the elector can comply with the ~~10-day~~ 29-day  
9 residence requirement at the new address and is otherwise qualified, he or she may  
10 vote in the new ward or election district.

11       **SECTION 3.** 6.10 (3) of the statutes is amended to read:

12       6.10 (3) When an elector moves from one ward to another within a municipality  
13 or from one municipality to another within the state ~~after the last registration day~~  
14 ~~but at least 10 days before the election, the elector may vote in and be considered a~~  
15 ~~resident of the new ward or municipality where residing upon transferring~~  
16 ~~registration under s. 6.40 (1) or upon registering at the proper polling place or other~~  
17 ~~registration location in the new ward or municipality under s. 6.55 (2) or 6.86 (3) (a)~~  
18 ~~2. If the elector moves within 10~~ 29 days of an election, the elector shall vote in the  
19 elector's old former ward or municipality if otherwise qualified to vote there.

20       **SECTION 4.** 6.10 (4) of the statutes is amended to read:

**BILL**

1           6.10 (4) The residence of an unmarried person sleeping in one ward and  
2           boarding in another is the place where the person sleeps. The residence of an  
3           unmarried person in a transient vocation, a teacher or a student who boards at  
4           different places for part of the week, month, or year, if one of the places is the  
5           residence of the person's parents, is the place of the parents' residence unless through  
6           registration or similar act the person elects to establish a residence elsewhere. If the  
7           person has no parents and if the person has not registered elsewhere, the person's  
8           residence shall be at the place ~~which~~ that the person considered his or her residence  
9           in preference to any other for at least ~~10~~ 29 days before an election. If this place is  
10          within the municipality, the person is entitled to all the privileges and subject to all  
11          the duties of other citizens having their residence there, including voting.

12          **SECTION 5.** 6.15 (1) of the statutes is amended to read:

13          6.15 (1) **QUALIFICATIONS.** Any person who was or who is a qualified elector under  
14          ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than  
15          ~~10~~ 29 days prior to the date of the presidential election, is entitled to vote for the  
16          president and vice president but for no other offices. The fact that the person was  
17          not registered to vote in the state from which he or she moved does not prevent voting  
18          in this state if the elector is otherwise qualified.

19          **SECTION 6.** 6.15 (2) (title) of the statutes is repealed and recreated to read:

20          6.15 (2) (title) **APPLICATION FOR BALLOT.**

21          **SECTION 7.** 6.15 (2) (a) of the statutes is amended to read:

22          6.15 (2) (a) The elector's request for the application form may be made in person  
23          to the municipal clerk of the municipality where the person resides. Application may  
24          be made not sooner than ~~9~~ 28 days nor later than 5 p.m. on the day before the election,  
25          ~~or may be made at the proper polling place in the ward or election district in which~~

## SECTION 7

**6.15 (3) ~~PROCEDURE AT POLLING PLACE~~ USE OF ELECTRONIC VOTING SYSTEMS.** ~~An~~  
~~eligible elector may appear at the polling place for the ward or election district where~~

**BILL**

1 ~~he or she resides and make application for a ballot under sub. (2). Except as~~  
2 ~~otherwise provided in this subsection, an elector who casts a ballot under this~~  
3 ~~subsection shall follow the same procedure required for casting a ballot at the~~  
4 ~~municipal clerk's office under sub. (2). The inspectors shall perform the duties of the~~  
5 ~~municipal clerk, except that the inspectors shall return the cancellation card under~~  
6 ~~sub. (2) (b) to the municipal clerk and the clerk shall forward the card as provided~~  
7 ~~in sub. (2) (c) if required. Upon proper completion of the application and cancellation~~  
8 ~~card and submittal of acceptable proof of residence under s. 6.55 (7) or providing~~  
9 ~~corroboration of residence, the inspectors shall permit the elector to cast his or her~~  
10 ~~ballot for president and vice president. The elector shall mark the ballot and, unless~~  
11 ~~the ballot is utilized with an electronic voting system, the elector shall fold the ballot,~~  
12 ~~and deposit the ballot into the ballot box or give it to the inspector. The inspector~~  
13 ~~shall deposit it directly into the ballot box. Voting machines or ballots utilized with~~  
14 ~~electronic voting systems may only be used by electors voting under this section if~~  
15 ~~they permit voting for president and vice president only.~~

16 **SECTION 9.** 6.18 (form) of the statutes is amended to read:

17 **6.18 (form)**

18 This form shall be returned to the municipal clerk's office. Application must be  
19 received in sufficient time for ballots to be mailed and returned prior to any  
20 presidential election at which applicant wishes to vote. Complete all statements in  
21 full.

22 **APPLICATION FOR PRESIDENTIAL**  
23 **ELECTOR'S ABSENTEE BALLOT.**

24 (To be voted at the Presidential Election  
25 on November ....., .... (year)

**BILL**

1 I, .... hereby swear or affirm that I am a citizen of the United States, formerly  
2 residing at .... in the .... ward .... aldermanic district (city, town, village) of ...., County  
3 of .... for ~~10~~ 29 days prior to leaving the State of Wisconsin. I, .... do solemnly swear  
4 or affirm that I do not qualify to register or vote under the laws of the State of ....(State  
5 you now reside in) where I am presently residing. A citizen must be a resident of:  
6 State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time),  
7 in order to be eligible to register or vote therein. I further swear or affirm that my  
8 legal residence was established in the State of ....(the State where you now reside)  
9 on .... Month .... Day .... Year.

10 Signed ....

11 Address ....(Present address)

12 ....(City) ....(State)

13 Subscribed and sworn to before me this .... day of .... .... (year)

14 ....(Notary Public, or other officer authorized to administer oaths.)

15 ....(County)

16 My Commission expires

17 MAIL BALLOT TO:

18 NAME ....

19 ADDRESS ....

20 CITY .... STATE .... ZIP CODE ....

21 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
22 under this section may be fined not more than \$1,000 or imprisoned for not more than  
23 6 months or both. Whoever intentionally votes more than once in an election may  
24 be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months  
25 or both.



## BILL

1 .....(Municipal Clerk)

2 .....(Municipality)

3 SECTION 10. 6.26 (2) (d) of the statutes is repealed.

4 SECTION 11. 6.275 (1) (b) of the statutes is amended to read:

5 6.275 (1) (b) The total number of electors of the municipality residing in that  
6 county who were ~~preregistered~~ registered on the deadline specified in s. 6.28 (1),  
7 including valid mail registrations which are postmarked by that day.

8 SECTION 12. 6.275 (1) (c) of the statutes is repealed.

9 SECTION 13. 6.275 (1) (d) of the statutes is amended to read:

10 6.275 (1) (d) The total number of electors of the municipality residing in that  
11 county who ~~registered~~ transferred registration on the day of the primary or election  
12 under ~~ss. s. 6.55 and 6.86 (3) (a) 2~~ (2).

13 SECTION 14. 6.28 (1) of the statutes is amended to read:

14 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ~~ss. 6.29, s.~~  
15 ~~6.55 (2), and 6.86 (3) (a) 2,~~ registration in person for any election shall close at 5 p.m.  
16 on the ~~2nd Wednesday~~ 29th day preceding the election. Registrations made by mail  
17 ~~under s. 6.30 (4)~~ must be delivered to the office of the municipal clerk or postmarked  
18 no later than the ~~2nd Wednesday~~ 29th day preceding the election. ~~An~~ Except as  
19 authorized in s. 6.55 (2), no application for registration ~~in person or by mail~~ may be  
20 accepted for placement on the registration list after the ~~specified deadline, if the~~  
21 ~~municipal clerk determines that the registration list can be revised to incorporate~~  
22 ~~the registration in time for the election.~~ All applications for registration corrections  
23 and additions may be made throughout the year at the office of the city board of  
24 election commissioners, at the office of the municipal clerk, at the office of any  
25 register of deeds or at other locations provided by the board of election commissioners

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1 or the common council in cities over 500,000 population or by either or both the  
2 municipal clerk, or the common council, village or town board in all other  
3 municipalities and may also be made during the school year at any high school by  
4 qualified persons under sub. (2) (a). Other registration locations may include but are  
5 not limited to fire houses, police stations, public libraries, institutions of higher  
6 education, supermarkets, community centers, plants and factories, banks, savings  
7 and loan associations and savings banks. Special registration deputies shall be  
8 appointed for all locations. An elector who wishes to obtain a confidential listing  
9 under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality  
10 where the elector resides.

11 **SECTION 15.** 6.29 of the statutes is repealed.

12 **SECTION 16.** 6.30 (1) of the statutes is amended to read:

13 6.30 (1) IN PERSON. An elector shall apply for registration in person, except as  
14 provided under sub. (4) and ~~s. 6.86 (3) (a) 2.~~

15 **SECTION 17.** 6.32 (3) of the statutes is repealed.

16 **SECTION 18.** 6.33 (1) of the statutes, as affected by 2003 Wisconsin Act 265, is  
17 amended to read:

18 6.33 (1) The municipal clerk shall supply sufficient registration forms as  
19 prescribed by the board printed on loose-leaf sheets or cards to obtain from each  
20 applicant information as to name; date; residence location; citizenship; date of birth;  
21 age; the number of a valid operator's license issued to the elector under ch. 343 or the  
22 last 4 digits of the elector's social security account number; whether the applicant  
23 has resided within the ward or election district for at least 10 29 days; whether the  
24 applicant has lost his or her right to vote; and whether the applicant is currently  
25 registered to vote at any other location. The forms shall also provide a space for the

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1 applicant's signature and the ward and aldermanic district, if any, where the elector  
2 resides and any other information required to determine the offices and referenda  
3 for which the elector is certified to vote. The forms shall also include a space where  
4 the clerk may record an indication of whether the form is received by mail and a space  
5 where the clerk, for any applicant who possesses a valid voting identification card  
6 issued to the person under s. 6.47 (3), may record the identification serial number  
7 appearing on the voting identification card. Each register of deeds shall obtain  
8 sufficient registration forms at the expense of the unit of government by which he or  
9 she is employed for completion by any elector who desires to register to vote at the  
10 office of the register of deeds under s. 6.28 (3).

11 **SECTION 19.** 6.33 (2) (b) of the statutes is amended to read:

12 6.33 (2) (b) ~~Except as provided in s. 6.86 (3) (a) 2., the~~ The registration form  
13 shall be signed by the registering elector ~~and any corroborating elector under s. 6.29~~  
14 ~~(2) (a) or 6.55 (2)~~ before the clerk, issuing officer, or registration deputy. The form  
15 shall contain a certification by the registering elector that all statements are true  
16 and correct.

17 **SECTION 20.** 6.40 (1) (a) 1. of the statutes is amended to read:

18 6.40 (1) (a) 1. Any registered elector shall transfer registration after a change  
19 of residence within the state by filing in person with the municipal clerk or by mailing  
20 to the municipal clerk a signed request stating his or her present address, affirming  
21 that this will be his or her residence for ~~10~~ 29 days prior to the election and providing  
22 the address where he or she was last registered. Alternatively, the elector may  
23 transfer his or her registration at the proper polling place or other registration  
24 location under s. 6.02 (2) in accordance with s. 6.55 (2) (a). If an elector ~~is voting in~~  
25 ~~the ward or election district where the elector formerly resided~~ changes his or her

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1 residence from one municipality to another or from one ward to another within the  
2 same municipality, within 29 days of an election, the change shall be effective for the  
3 next election.

4 **SECTION 21.** 6.40 (1) (c) of the statutes is amended to read:

5 6.40 (1) (c) *Name change.* Whenever an elector's name is legally changed,  
6 including a change by marriage or divorce, the elector shall transfer his or her  
7 registration to his or her legal name by appearing in person or mailing to the  
8 municipal clerk a signed request for a transfer of registration to such name.  
9 Alternatively, a registered elector may make notification of a name change at his or  
10 her polling place under s. 6.55 ~~(2)-(d)~~ (1).

11 **SECTION 22.** 6.45 (1) of the statutes is amended to read:

12 6.45 (1) After the deadline for revision of the registration list, the municipal  
13 clerk shall make copies of the list for election use. The registration list and any  
14 supplemental lists which are prepared at polling places or other registration  
15 locations under s. 6.55 or 6.79, shall be open to public inspection. Under the  
16 regulations prescribed by the municipal clerk, any person may copy the registration  
17 list at the office of the clerk. A registration list maintained at a polling place may be  
18 examined by any person who is observing the proceedings under s. 7.41 when such  
19 use does not interfere with the conduct of the election.

20 **SECTION 23.** 6.45 (1m) of the statutes is amended to read:

21 6.45 (1m) The registration list and any supplemental lists which are prepared  
22 at polling places or other registration locations under s. 6.55 or 6.79, shall be open  
23 to public inspection. Under the regulations prescribed by the municipal clerk, any  
24 person may copy the registration list at the office of the clerk. A registration list  
25 maintained at a polling place may be examined by any person who is observing the

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proceedings under s. 7.41 when such use does not interfere with the conduct of the election. This subsection does not apply to information that is confidential under s. 6.47.

**SECTION 24.** 6.50 (10) of the statutes is amended to read:

6.50 (10) Any qualified elector whose registration is changed from eligible to ineligible status under this section may reregister as provided under s. 6.28 (1), ~~6.29 (2)~~, or transfer his or her registration as provided under s. 6.55 (2).

**SECTION 25.** 6.54 of the statutes is repealed.

**SECTION 26.** 6.55 (title) of the statutes is amended to read:

**6.55 (title)** ~~Polling place~~ Updating registration; voting by certification at polling place.

**SECTION 27.** 6.55 (2) (a) 1. of the statutes is renumbered 6.55 (2) (a) and amended to read:

6.55 (2) (a) Except where the procedure under par. (c) ~~or (em)~~ is employed, any ~~person who qualifies as an elector in the ward or election district where he or she desires to vote, but has not previously filed a registration form, or was registered at another location,~~ registered elector who has changed his or her residence within the ward or election district in which he or she is registered and who has not notified the municipal clerk of the change of address under s. 6.40 (1) may request permission to vote at the polling place ~~for that ward or election district~~ serving the elector's residence, or at an alternate polling place assigned under s. 5.25 (5) (b). When a proper request is made, the inspector shall require the ~~person to execute~~ elector to transfer his or her registration by executing a registration form prescribed by the board. The registration form shall be completed in the manner provided under s. 6.33

**BILL**

1 (2) and shall contain all information required under s. 6.33 (1), together with the  
2 following certification:

3 "I, ..., hereby certify that to the best of my knowledge, I am a qualified elector,  
4 having resided at .... for at least ~~10~~ 29 days immediately preceding this election, and  
5 that I am not disqualified on any ground from voting, and I have not voted, at this  
6 election."

7 **SECTION 28.** 6.55 (2) (a) 2. of the statutes is repealed.

8 **SECTION 29.** 6.55 (2) (b) of the statutes is amended to read:

9 6.55 (2) (b) Upon executing the registration form under par. (a), the elector  
10 shall provide acceptable proof of residence under sub. (7). If the elector cannot  
11 provide acceptable proof of residence, the information contained in the registration  
12 form shall be corroborated in a statement that is signed by any elector who resides  
13 in the same municipality as the registering elector and that contains the current  
14 street address of the corroborating elector. The corroborator shall then provide  
15 acceptable proof of residence as provided in sub. (7). The signing by the elector  
16 ~~executing the~~ who is transferring his or her registration form and by any  
17 corroborator shall be in the presence of the ~~special registration deputy or~~ inspector.  
18 Upon compliance with this procedure, the elector shall be permitted to cast his or her  
19 vote, if the elector complies with all other requirements for voting at the polling  
20 place.

21 **SECTION 30.** 6.55 (2) (c) 1. of the statutes is amended to read:

22 6.55 (2) (c) 1. As an alternative to transferring registration at the polling place  
23 under pars. (a) and (b), the board of election commissioners, or the governing body  
24 of any municipality may by resolution require a ~~person who qualifies as an elector~~  
25 ~~and who is not registered and desires to register on the day of an election to do so~~

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1 registered elector who has changed his or her residence within the ward or election  
2 district in which he or she is registered, who has not notified the municipal clerk of  
3 the change of address under s. 6.40 (1), and who desires to vote to transfer his or her  
4 registration at another readily accessible location in the same building as the polling  
5 place serving the elector's residence or at an alternate polling place assigned under  
6 s. 5.25 (5) (b), instead of at the polling place serving the elector's residence. In such  
7 case, the municipal clerk shall prominently post a notice ~~of the registration location~~  
8 at the polling place of the location designated for transferring registrations. The  
9 municipal clerk, or deputy clerk ~~or special registration deputy~~ at the registration  
10 location shall require such person to ~~execute~~ transfer his or her registration by  
11 executing a registration form as prescribed under par. (a) and to provide acceptable  
12 proof of residence as provided under sub. (7). If the elector cannot provide acceptable  
13 proof of residence, the information contained in the registration form shall be  
14 corroborated in the manner provided in par. (b). The signing by the elector executing  
15 the registration form and by any corroborator shall be in the presence of the  
16 municipal clerk, or deputy clerk ~~or special registration deputy~~. Upon proper  
17 completion of registration, the municipal clerk, or deputy clerk ~~or special~~  
18 ~~registration deputy~~ shall serially number the registration and give one copy to the  
19 elector for presentation at the polling place serving the elector's residence or an  
20 alternate polling place assigned under s. 5.25 (5) (b).

21 **SECTION 31.** 6.55 (2) (cm) of the statutes is repealed.

22 **SECTION 32.** 6.55 (2) (d) of the statutes is renumbered 6.55 (1) and amended to  
23 read:

24 6.55 (1) A registered elector who has changed his or her name but resides at  
25 the same address, and has not notified the municipal clerk under s. 6.40 (1) (c), shall

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1 notify the inspector of the change before voting. The inspector shall then notify the  
2 municipal clerk at the time when materials are returned under s. 6.56 (1). ~~If an A~~  
3 ~~registered elector has changed both a name and address, the elector who has changed~~  
4 ~~his or her residence within the ward or election district in which he or she is~~  
5 ~~registered and who has not notified the municipal clerk of the change of address~~  
6 ~~under s. 6.40 (1) shall register transfer his or her registration by completing a~~  
7 ~~registration form at the polling place or other registration location under pars. (a)~~  
8 ~~and (b) sub. (2) before voting. A registered elector who has changed his or her~~  
9 ~~residence within this state from one municipality to another or within a municipality~~  
10 ~~from one ward to another, and who has not notified the municipal clerk of the change~~  
11 ~~of address under s. 6.40 (1), may not be permitted to vote, except at a subsequent~~  
12 ~~election for which the elector is properly registered or as authorized under s. 6.10 (3)~~  
13 ~~or 6.85 (2).~~

14 **SECTION 33.** 6.55 (3) of the statutes is repealed.

15 **SECTION 34.** 6.55 (6) of the statutes is repealed.

16 **SECTION 35.** 6.56 (1) of the statutes is amended to read:

17 6.56 (1) The list containing the names of persons ~~voting~~ transferring  
18 registration under ~~ss. 6.29 and s. 6.55 (2) and (3)~~ shall be returned together with all  
19 forms and certificates to the municipal clerk.

20 **SECTION 36.** 6.56 (2) of the statutes is repealed.

21 **SECTION 37.** 6.56 (3) of the statutes is amended to read:

22 6.56 (3) Upon receipt of the list under sub. (1), the municipal clerk or board of  
23 election commissioners shall make an audit of all electors ~~registering to vote~~  
24 transferring registration at the polling place or other registration location under s.  
25 6.55 (2) and ~~all electors registering by agent on election day under s. 6.86 (3) (a) 2.~~



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1 The audit shall be made by 1st class postcard. The postcard shall be marked in  
2 accordance with postal regulations to ensure that it will be returned to the clerk or  
3 board of election commissioners if the elector does not reside at the address given on  
4 the postcard. If any postcard is returned undelivered, or if the clerk or board of  
5 election commissioners is informed of a different address than the one specified by  
6 the elector which was apparently improper on the day of the election, the clerk or  
7 board shall change the status of the elector from eligible to ineligible on the  
8 registration list and mail the elector a notice of the change in status and provide the  
9 name to the district attorney for the county where the polling place is located.

10 **SECTION 38.** 6.56 (5) of the statutes is amended to read:

11 6.56 (5) Whenever any letter or postcard mailed under this section is returned  
12 undelivered, or whenever the U.S. postal service notifies the clerk of an improper  
13 address which was apparently improper on the day of the election or whenever it  
14 otherwise appears that a person has voted who is not qualified or has voted more  
15 than once in an election, and the person has been permitted to vote after  
16 corroboration was made under s. 6.55 (2) ~~or (3) or 6.86 (3) (a) 2.~~, the name of the  
17 corroborator shall also be provided to the district attorney.

18 **SECTION 39.** 6.79 (2) (b) and (c) of the statutes, as affected by 2003 Wisconsin  
19 Act 265, are amended to read:

20 6.79 (2) (b) Upon the poll list, after the name of each elector, the officials shall  
21 enter a serial number for each elector in the order that votes are cast, beginning with  
22 number one. The officials shall enter upon the poll list, after the name of any elector  
23 who updates his or her registration under s. 6.55 (1), the updated name of the elector.

24 (c) The officials shall maintain separate lists for electors who are voting under  
25 s. 6.15, ~~6.29~~, or transferring registrations under s. 6.55 (2) ~~or (3)~~ and electors who are

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1 reassigned from another polling place under s. 5.25 (5) (b) and shall enter the full  
2 name, address, and serial number of each of these electors on the appropriate  
3 separate list. Alternatively, if the poll list is maintained electronically, the officials  
4 may enter on the poll list the information that would otherwise appear on a separate  
5 list if the information that would be obtainable from a separate list is entered on the  
6 poll list.

7 **SECTION 40.** 6.79 (4) of the statutes is amended to read:

8 6.79 (4) SUPPLEMENTAL INFORMATION. When any elector provides acceptable  
9 proof of residence under s. 6.15, ~~6.29~~ or 6.55 (2) ~~or (3)~~, the election officials shall enter  
10 the type of identifying document provided on the poll list, or separate list maintained  
11 under sub. (2) (c). If the document submitted as proof of identity or residence  
12 includes a number which applies only to the individual holding that document, the  
13 election officials shall also enter that number on the list. ~~When any elector~~  
14 ~~corroborates the registration identity or residence of any person offering to vote~~  
15 ~~under s. 6.55 (2) (b) or (c) or (3), or the registration identity or residence of any person~~  
16 ~~registering on election day under s. 6.86 (3) (a) 2., the election officials shall also enter~~  
17 ~~the name and address of the corroborator next to the name of the elector whose~~  
18 ~~information is being corroborated on the poll list, or the separate list maintained~~  
19 ~~under sub. (2) (c).~~ When any person offering to vote has been challenged and taken  
20 the oath, following the person's name on the poll list, the officials shall enter the word  
21 "Sworn".

22 **SECTION 41.** 6.85 of the statutes is amended to read:

23 **6.85 Absent elector; definition.** (1) An absent elector is any otherwise  
24 qualified elector who for any reason is unable or unwilling to appear at the polling  
25 place in his or her ward.

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1        **(2)** Any otherwise qualified elector who changes residence within this state by  
2 moving to a different ward or municipality later than ~~10~~ 29 days prior to an election  
3 may vote an absentee ballot in the ward or municipality where he or she was  
4 qualified to vote before moving.

5        **(3)** An elector qualifying under this section may vote by absentee ballot under  
6 ss. 6.86 to 6.89.

7        **SECTION 42.** 6.86 (3) (a) 1. of the statutes is renumbered 6.86 (3) (a).

8        **SECTION 43.** 6.86 (3) (a) 2. of the statutes is repealed.

9        **SECTION 44.** 6.86 (3) (b) of the statutes is amended to read:

10       6.86 (3) (b) When each properly executed form and statement required under  
11 par. (a) is presented to the municipal clerk, if the elector who proposes to vote is  
12 qualified, an absentee ballot shall be issued and the name of such hospitalized elector  
13 shall be recorded by the clerk ~~or special registration deputy~~. An agent who is issued  
14 an absentee ballot under this section shall present documentation of his or her  
15 identity, provide his or her name and address, and attest to a statement that the  
16 ballot is received solely for the benefit of a named elector who is hospitalized, and the  
17 agent will promptly transmit the ballot to such person.

18       **SECTION 45.** 6.86 (3) (c) of the statutes is amended to read:

19       6.86 (3) (c) An application under ~~par. (a) 1.~~ this subsection may be made and  
20 ~~a registration form under par. (a) 2. may be filed~~ in person at the office of the  
21 municipal clerk not earlier than 7 days before an election and not later than 5 p.m.  
22 on the day of the election. A list of hospitalized electors applying for ballots under  
23 ~~par. (a) 1.~~ this subsection shall be made by the municipal clerk and used to check that  
24 the electors vote only once, and by absentee ballot. If identification is required, the  
25 municipal clerk shall so inform the agent and the elector shall enclose identification

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1 in the envelope with the ballot. The ballot shall be sealed by the elector and returned  
2 to the municipal clerk either by mail or by personal delivery of the agent; but if the  
3 ballot is returned on the day of the election, the agent shall make personal delivery  
4 at the polling place serving the hospitalized elector's residence before the closing  
5 hour for the ballot to be counted.

6 **SECTION 46.** 6.87 (2) (form) of the statutes is amended to read:

7 6.87 (2) (form)

8 [STATE OF ....

9 County of ....]

10 or

11 [(name of foreign country and city or other jurisdictional unit)]

12 I, ..., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false  
13 statements, that I am a resident of the [... ward of the] (town) (village) of ..., or of  
14 the ... aldermanic district in the city of ..., residing at ...\* in said city, the county  
15 of ..., state of Wisconsin, and am entitled to vote in the (ward) (election district) at  
16 the election to be held on ...; that I am not voting at any other location in this election;  
17 that I am unable or unwilling to appear at the polling place in the (ward) (election  
18 district) on election day or have changed my residence within the state from one ward  
19 or election district to another within ~~10~~ 29 days before the election. I certify that I  
20 exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her)  
21 presence and in the presence of no other person marked the ballot and enclosed and  
22 sealed the same in this envelope in such a manner that no one but myself and any  
23 person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance,  
24 could know how I voted.

25 Signed ....

**BILL**

Identification serial number, if any: ....

The witness shall execute the following:

I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that the above statements are true and the voting procedure was executed as there stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

....(Name)

....(Address)\*\*

\* — An elector who provides an identification serial number issued under s. 6.47 (3), Wis. Stats., need not provide a street address.

\*\* — If this form is executed before 2 special voting deputies under s. 6.875 (6), Wis. Stats., both deputies shall witness and sign.

**SECTION 47.** 6.94 of the statutes is amended to read:

**6.94 Challenged elector oath.** If the person challenged refuses to answer fully any relevant questions put to him or her by the inspector under s. 6.92, the inspectors shall reject the elector's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the inspectors shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for ~~10~~ 29 days have been a resident of this ward except under s. 6.02 (2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election". If the person challenged refuses to take the oath or affirmation, the person's vote shall be

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1 rejected. If the person challenged answers fully all relevant questions put to the  
2 elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the  
3 applicable registration requirements, and if the answers to the questions given by  
4 the person indicate that the person meets the voting qualification requirements, the  
5 person's vote shall be received.

6 **SECTION 48.** 7.03 (1) (d) of the statutes is amended to read:

7 7.03 (1) (d) Except as otherwise provided in par. (a), special registration  
8 ~~deputies appointed under s. 6.55 (6),~~ special voting deputies appointed under s. 6.875  
9 (4) and officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25  
10 (5) may be compensated by the municipality where they serve at the option of the  
11 municipality.

12 **SECTION 49.** 7.08 (1) (c) of the statutes is amended to read:

13 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),  
14 6.40 (1) (a), 6.47 (1) (a) 2. and (3), 6.55 (2) ~~and (3),~~ and 6.86 (2) and (3). All such forms  
15 shall contain a statement of the penalty applicable to false or fraudulent registration  
16 or voting through use of the form. Forms are not required to be furnished by the  
17 board.

18 **SECTION 50.** 7.30 (2) (a) of the statutes is amended to read:

19 7.30 (2) (a) Only election officials appointed under this section may conduct an  
20 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified  
21 elector of the ward or wards, or the election district, for which the polling place is  
22 established. ~~Special registration deputies appointed under s. 6.55 (6) and election~~  
23 Election officials who are appointed to fill a vacancy under par. (b) need not be a  
24 resident of the ward or wards, or the election district, but shall be a resident of the  
25 municipality. ~~Special registration deputies may be appointed to serve more than one~~

**BILL**

~~polling place.~~ All officials shall be able to read and write the English language, be capable, be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. The party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. The same election officials may serve the electors of more than one ward where wards are combined under s. 5.15 (6) (b). If a municipality is not divided into wards, the ward requirements in this paragraph apply to the municipality at large.

**SECTION 51.** 12.13 (3) (v) of the statutes is amended to read:

12.13 (3) (v) Corroborate any information offered by a proposed elector for the purpose of permitting the person to register to vote, to transfer his or her registration or to vote in any election, knowing such information to be false.

**SECTION 52. Initial applicability.**

(1) This act first applies with respect to the 2006 spring primary election.

**SECTION 53. Effective date.**

(1) This act takes effect on January 1, 2006.

(END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2128/2dn

JTK.../1:....

Wlj

Senator Reynolds:

This redraft corrects the analysis in several minor respects. The statutory text is the same as in the /1 version.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2128/2dn  
JTK:wlj:pg

July 14, 2005

Senator Reynolds:

This redraft corrects the analysis in several minor respects. The statutory text is the same as in the /1 version.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

## Kuesel, Jeffery

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**To:** Henneger, Patrick  
**Subject:** RE: LRB 2128

Patrick,

I will take care of this redraft for you. If any questions come up during the drafting process, I will get back to you.  
Jeff Kuesel

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**From:** Henneger, Patrick  
**Sent:** Monday, September 12, 2005 4:07 PM  
**To:** Kuesel, Jeffery  
**Subject:** LRB 2128

Hi Jeff--

Senator Reynolds requested a change to LRB2128 (eliminating same day registration). He wanted to move the registration deadline from 29 days to 15 days. He also wanted to give a voter the opportunity to cast a provisional ballot (similar to federal elections) so they can prove they were properly registered to vote by the 15 deadline but for some reason were left off the registration list. Proof of registration can be the return postcard when they registered or proof that they had voted in a previous election at that location and had not changed residences since they last voted. We are open to comments or suggestions on any of the changes. Please let me know if you have any questions.

Thanks,

Patrick Henneger  
Office of Senator Tom Reynolds